

RESPONSIVENESS SUMMARY ENGINEERING EVALUATION/COST ANALYSIS AMENDMENT BIG JOHN SALVAGE SUPERFUND SITE

FAIRMONT, MARION COUNTY, WEST VIRGINIA

**Public Comment Period
November 23, 2022, to January 7, 2023**

Overview

On November 23, 2022, EPA released the Engineering Evaluation/Cost Analysis Amendment (EE/CA Amendment) for the Big John Salvage Superfund Site (Site) and announced the opening of the 45-day public comment period. On December 1, 2022, EPA and WVDEP held a public meeting in Fairmont, West Virginia to present the EE/CA Amendment to the local community and to seek comment. At this meeting, representatives from EPA and the WVDEP discussed the Site history, environmental investigations, past legal/enforcement actions including the recent bankruptcy of Vertellus, EPA's subsequent work take-over, rationale for amending the previously selected response actions for the Monongahela River portion of the Site (River Area) and answered general questions about Site conditions.

The EE/CA Amendment detailed EPA's revised preferred alternative to clean up the residual contamination in the River Area, considering the following evaluation criteria:

Effectiveness

- Overall protection of human health and the environment
- Compliance with Applicable or Relevant and Appropriate Regulations
- Long-term effectiveness and permanence
- Reduction of mobility, toxicity, or volume of contaminants through treatment
- Short-term effectiveness

Implementability

- Technical Feasibility
- Administrative Feasibility
- Availability of Services and Materials

Cost

- Cost-effectiveness

EPA carefully considered state and community comments on the clean-up alternatives before reaching the final decision regarding the removal response plan. There were no significant adjustments to the final clean-up plan based on comments received during the public comment period. EPA's EE/CA Amendment details EPA's final clean-up decision.

This Responsiveness Summary provides a summary of significant comments raised during the public comment period, including comments made during the December 1,

2022, public meeting. EPA carefully evaluated the comments submitted. Citizens submitting comments included area residents, community organizations, and local government.

1. Comment: In reaction to an aerial photograph presented at the public meeting (slide #17), taken in 1955, showing a visible black discharge entering the Monongahela River at confluence with Sharon Steel Run and extending down-river along the eastern riverbank, a citizen asked if it was legal for the industrial facilities to discharge “that kind of” wastes during that time. (The subject slide can be viewed in the Administrative Record at: <https://semspub.epa.gov/src/collections/03/AR/WVD054827944>, and select **EE/CA Amendment** under Collection Description heading.)

EPA Response: It is not possible to definitively state whether that visible discharge was meeting the applicable West Virginia discharge limits at the time. The Big John Salvage Administrative Record includes correspondence between State regulators and Reilly Tar and Chemical Corporation and Domestic Coke (operating at the Sharon Steel/Fairmont Coke Works property) regarding efforts to reduce chemical discharges from the coke and tar refinery operation extending from the 1940’s. State environmental regulations became more stringent as public health agencies learned more about the hazards presented by the release of chemical wastes to the environment and elected officials provided the respective agencies the authority to limit such uncontrolled releases. The United States Environmental Protection Agency was established in 1970 and the federal law which became known as the Clean Water Act was established in 1972.

EPA included the subject 1955 aerial photograph in the presentation because the black-stained water mirrors the location of the tar-derived waste deposits present along the River bottom today. EPA has demonstrated a clear correlation between the discharges entering the River during operations at the Reilly Tar and Chemical tar refinery and the adjacent Sharon Steel/Fairmont Coke Works industrial facilities and the residual contaminants to be dredged from the River.

2. Comment: A representative from West Virginia Department of Environmental Protection asked how far sediment sampling in the River was performed, beyond the 3,400-foot-long delineated “hotspot” scheduled for removal by dredging.

EPA Response: River sediment investigations have extended approximately 0.7 miles upriver and 1.36 miles downriver from the point that Sharon Steel Run discharges to the Monongahela River. Therefore, sediment cores were collected and sampled another 3,000 feet plus further downriver from the downstream delineated hotspot. To date, all samples demonstrating high concentrations of Polycyclic Aromatic Hydrocarbons (>90 mg/kg tPAH) have been contiguous to the subject PAH hotspot.

3. Comment: Citizens and local officials asked whether funding is available and, if so, how long it would likely take to implement the selected response action.

EPA Response: EPA is in the process of preparing the engineering designs and secure funding necessary to complete the construction of both the River and Uplands Area portions of the selected response action. EPA has retained the United States Army Corps of Engineers to complete the designs and prepare bid documents for future construction. EPA expects to complete the River Area design in 2024, bid the project, and complete the dredging work in 2025. EPA plans to complete the Uplands Area design in 2024, bid the project, and complete the multi-layer cap and expanded water treatment construction in 2026. EPA has secured funds to complete the design work and expects construction to be funded by the Bipartisan Infrastructure Law (BIL).

4. Comment: Several citizens expressed words of support for Alternative 2, identified as the “Preferred Alternative” in the Environmental Engineering/Cost Analysis Amendment.

EPA Response: EPA appreciates the input received from the community concerning this important matter. EPA received no negative comments regarding Alternative 2 and EPA received no comments supporting any of the other Alternatives evaluated in the EE/CA Amendment and summarized in the Fact Sheet.

EPA received two written comments, both expressing support for EPA’s preferred alternative. The following is a summary of the comments received. The complete letter received from the Monongahela River Trails Conservancy (MRTC) and the Fairmont City Council Resolution passed supporting EPA’s preferred response action alternative can be viewed in the Administrative Record.

5. Comment: A Fairmont City Council Resolution passed and signed by Mayor Thomas Mainella on December 20, 2022, states, in part, “The City Council for the City of Fairmont hereby manifests its support for and endorses the United States Environmental Protection Agency’s Revised Cleanup Plan for the Big John Salvage Hoult Road Superfund Site. The proposal is in the best interest of the City of Fairmont and her citizens and will reduce unacceptable risks to human health and the environment.”
6. Comment: MRTC’s letter shares the scope of its mission which includes managing the 48-mile Monongahela River Trails System connecting Prickett’s Fort State Park and the Marion County Trail with the Sheepskin Trail at the WV/PA state line and more generally encourages greater access to West Virginia’s valued natural resources and recreational opportunities. MRTC describes the collective efforts of several community groups working to achieve a regional trail network vision that spans 51 counties, including a long stretch along the Monongahela River. MRTC emphasized that the subject stretch of contaminated river bottom is part of the Upper Monongahela River Water Trail, a 68-mile water trail that is promoted for recreational use including fishing, wildlife viewing, boating, and paddling. MRTC expressed support for the EPA plan to remove the contamination and bring river

sediment quality to within the safe threshold so that insects, wildlife, and people will all be safe interacting with this section of the river. MRTC specifically expressed support for the retention wall being constructed below the water level to allow wildlife access to the riverbank.

EPA Response: EPA appreciates written statements of support received from both the City of Fairmont and MRTC.